



ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2011-0933; FRL-9342-2]

Imidacloprid, Methomyl, and Oxamyl; Cancellation Order for Amendments to Terminate Uses

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's order for amendments to terminate uses, voluntarily requested by registrants and accepted by the Agency, of products containing imidacloprid, methomyl, and oxamyl, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This cancellation order follows a January 11, 2012 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 2 of Unit II to voluntarily amend certain imidacloprid pesticide registrations to terminate use on almonds, to voluntarily amend certain methomyl product registrations to delete use on grapes, and to voluntarily amend oxamyl product registrations to delete use on soybeans. These are not the last products containing imidacloprid, methomyl, or oxamyl registered for use in the United States. In the January 11, 2012 Notice, EPA indicated that it would issue an order implementing the amendments to terminate uses, unless the Agency received substantive comments within the 30-day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency did not receive any comments on the notice. Further, the registrants did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested amendments to terminate uses. Any distribution, sale, or use of the products subject to this cancellation

order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

DATES: The amendments are effective [*insert date of publication in the Federal Register*].

FOR FURTHER INFORMATION CONTACT: Contact the appropriate Chemical Review Manager identified in the table below for the pesticide active ingredient of interest:

Pesticide Active Ingredient	Chemical Review Manager's Name and Contact Information
Imidacloprid	Rusty Wasem, (703) 305-6979, wasem.russell@epa.gov
Methomyl	Tom Myers, (703) 308-8589, myers.tom@epa.gov
Oxamyl	Monica Wait, (703)347-8019, wait.monica@epa.gov

Alternatively, you can write to the appropriate Chemical Review Manager's attention at: Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2011-0933. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

II. What Action is the Agency Taking?

This notice announces amendments to delete uses, as requested by registrants, of products registered under section 3 of FIFRA. These registrations are listed in Table 1 of this unit.

Table 1 -- Imidacloprid, Methomyl, and Oxamyl Product Registration Amendments to Delete Uses

EPA Registration Number	Product Name	Active Ingredient	Use Deleted
264-755	Imidacloprid Technical	Imidacloprid	Almonds
264-756	Merit 75% Concentrate Insecticide	Imidacloprid	Almonds
264-1131	Gaucho 600 Flowable Concentrate	Imidacloprid	Almonds
66222-156	MANA Alias 4F	Imidacloprid	Almonds
66222-228	Pasada 1.6 Flowable Insecticide	Imidacloprid	Almonds
70506-122	UPI Imidacloprid Technical Insecticide	Imidacloprid	Almonds
70506-153	Imidacloprid 70 DF Agricultural Insecticide	Imidacloprid	Almonds
70506-154	Fist 1.6 F Insecticide	Imidacloprid	Almonds
81598-5	Rotam Imidacloprid Technical	Imidacloprid	Almonds
82542-16	Technical Imidacloprid	Imidacloprid	Almonds

82542-25	Imidacloprid 2F Insecticide	Imidacloprid	Almonds
82633-8	Imidacloprid Technical	Imidacloprid	Almonds
83529-6	Midash Forte Insecticide	Imidacloprid	Almonds
87290-14	Willowood Imidacloprid 4SC	Imidacloprid	Almonds
83558-34	Imidacloprid Technical Insecticide	Imidacloprid	Almonds
352-361	DuPont Methomyl Composition	Methomyl	Grapes
352-366	DuPont Methomyl Technical	Methomyl	Grapes
352-372	Vydate L Insecticide / Nematicide	Oxamyl	Soybeans
352-400	DuPont Oxamyl Technical 42 Insecticide / Nematicide	Oxamyl	Soybeans
352-532	Vydate C-LV Insecticide / Nematicide	Oxamyl	Soybeans

Table 2 of this unit includes the names and addresses of record for all registrants of the products in Table 1 of this unit, in sequence by EPA company number. The company corresponds to the first part of the EPA registration numbers of the products listed above.

Table 2 -- Registrants of Amended Products

EPA Company Number	Company Name and Address
264	Bayer CropScience 2 T.W. Alexander Drive PO Box 12014 Research Triangle Park, NC 27709
352	E.I. Du Pont de Nemours and Co., Inc. DuPont Crop Protection 1007 Market Street Wilmington, DE 19898
66222	Makhteshim Agan of North America, Inc. 4515 Falls of Neuse Road Suite 300 Raleigh NC 27609
70506	United Phosphorus, Inc. 630 Freedom Business Center Suite 402 King of Prussia, PA 19406
81598	IPM Resources LLC

	4032 Crockers Lake Blvd. Suite 818 Sarasota, FL 34238
82542	Source Dynamics, Inc. 10039 E. Troon North Drive Scottsdale, AZ 85262
82633	Sharda Worldwide Exports 7460 Lancaster Pike Suite 9 Hockessin, DE 19707
83529	Sharda USA LLC 7460 Lancaster Pike Suite 9 Hockessin, DE 19707
83558	Celsius Property B.V. Amsterday (NL) c/o Makhteshim Agan of North America, Inc. 4515 Falls of Neuse Road Suite 300 Raleigh NC 27609
87290	Willowood, LLC 1600 NW Garden Valley BLVD. Suite 130 Roseburg, OR 97471

III. Summary of Public Comments Received and Agency Response to Comments

During the public comment period provided, EPA received no comments in response to the January 11, 2012 **Federal Register** Notice announcing the Agency's receipt of the requests for voluntary amendments to delete uses of products listed in Table 1 of Unit II.

IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested amendments to terminate use of imidacloprid on almonds, methomyl on grapes, and oxamyl on soybeans for the product registrations identified in Table 1 of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Table 1 of Unit II are amended to terminate the affected uses. The effective date of the cancellations that are

subject of this notice is [*insert date of publication in the Federal Register*]. Any distribution, sale, or use of existing stocks of the products identified in Table 1 of Unit II in a manner inconsistent with any of the provisions for disposition of existing stocks set forth in Unit VI will be a violation of FIFRA.

V. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, following the public comment period, the EPA Administrator may approve such a request. The notice of receipt for this action was published for comment on January 11, 2012 (77 FR 1684) (FRL-9328-2). The comment period closed on February 10, 2012.

VI. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the action. The existing stock provisions for the products subject to this order are as follows.

Once EPA has approved amended imidacloprid product labels reflecting the requested amendments to delete use on almonds, registrants are permitted to sell or distribute products listed in Table 1 of Unit II under the previously approved labeling until [*insert date 18 months after date of publication in the Federal Register*], a period of 18 months after publication of the cancellation order in this **Federal Register**, unless

other restrictions have been imposed. Thereafter, imidacloprid registrants will be prohibited from selling or distributing the products whose labels include the deleted use identified in Table 1 of Unit II, except for export consistent with FIFRA section 17, or for proper disposal.

For methomyl, now that EPA has approved amended product labels reflecting the requested amendments to delete use on grapes, the registrants are permitted to sell or distribute products under the previously approved labeling until June 8, 2012. Thereafter, registrants will be prohibited from selling or distributing the products whose labels include the deleted use identified in Table 1 of Unit II, except for export consistent with FIFRA section 17 or for proper disposal.

For imidacloprid and methomyl, persons other than the registrants may sell, distribute, or use existing stocks of products whose labels include the deleted uses until supplies are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the deleted uses.

For the oxamyl voluntary amendment, use on soybeans was removed from all oxamyl product labels in 2006 following the Oxamyl Reregistration Eligibility Decision. Because the soybean use has not been included on oxamyl product labels since 2006, no existing stocks period is needed.

List of Subjects

Environmental protection, almond, imidacloprid, grape, methomyl, soybean, oxamyl, pesticides and pests.

Dated: March 30, 2012.

Richard P. Keigwin, Jr.,

Director, Pesticide Re-evaluation Division, Office of Pesticide Programs.

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